

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania



United States of America

v.

MYKAYLIAH HEVENER

Case No. 5:24-MJ-28

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 29, 2023 in the county of Lackawanna in the
Middle District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

Title 18 U.S.C. § 2251(a)
 Title 18 U.S.C. § 2252(a)(2)

Production of Child Pornography
 Distribution of Child Pornography

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

S.A. Eric Bailey, FBI

Printed name and title

Sworn to before me and signed in my presence *by reliable electronic means.*Date: 04/18/2024

Judge's signature

City and state: Wilkes-Barre, PA

Chief Magistrate Judge Joseph Saporito

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Eric Bailey ("Your Affiant"), a Special Agent with the Federal Bureau of Investigation ("FBI"), Philadelphia Division, being duly sworn, depose and state as follows:

INTRODUCTION

1. Your Affiant has been a Special Agent ("SA") with the FBI since July 2011. I am currently investigating federal violations of criminal law that relate to child pornography and the sexual exploitation of children. I have gained experience in this field through training in seminars, classes, and daily work related to conducting these types of investigations. I have also participated in the execution of numerous search warrants, of which many have involved child exploitation and/or child pornography offenses. In the course of my employment with the FBI, I have also participated in the execution of numerous search warrants resulting in the seizure of computers, magnetic storage media for computers, other electronic media, and other items evidencing violations of federal laws; I have also had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media.

2. As a federal agent, I am authorized to investigate violations of the laws of the United States and to execute warrants issued under the authority of the United States.

3. For the reasons stated herein, there is probable cause to believe that Mykaylah Hevener committed the crime of 18 U.S.C. § 2252(a)(2) (distribution of child pornography).

PROBABLE CAUSE

4. In March of 2023 a cybertip was reported to the National Center for Missing and Exploited Children (NCMEC) involving a Verizon user that was sending or receiving child pornography images. The information was sent to the New York State Police who served a subpoena to Verizon in an attempt to find account holders. The subpoena showed the account holder of the phone to be Andi Thompson who resides in Tipton, Iowa. The Tipton Police Department was forwarded the information in October of 2023. The Verizon phone number was 319-930-1141 which was registered to Andi Thompson living at 814 Meridian St, Tipton, Iowa.

5. In December of 2023, the Tipton Police Department was able to speak to Andi Thompson. Thompson advised the number was associated with a phone utilized by her boyfriend Benjamin Egli. Thompson brought Egli to the Tipton Police Department where he agreed to speak to Officers. During a non-custodial interview, Egli advised that phone number 319-930-1141 was associated with a phone that he formerly used, and that the phone had been broken for some time. During the interview Egli advised there was possibly child pornography on the phone and that anything found on that phone would belong to him. Egli also advised that Officers could take possession of the phone and that he would give consent to search the phone.

6. After the interview, Officers followed Egli and Thompson to their home at 814 Meridian Street in Tipton. Officers followed Egli into the home where Egli located the phone and immediately provided it to an Officer. Egli signed a consent to search form for the phone. On December 19, 2023, the phone was transported to Johnson County JFACT for a forensic examination.

7. On March 26, 2024, the Tipton Police Department was able to review the results of the forensic examination of Egli's phone. While

reviewing the videos found on the phone, Tipton Police Department located approximately a dozen videos that appear to be screen recordings of video chats between Egli, a white female later identified as Mykaylia HEVENER, and a white male toddler. In the videos, a self-view of Egli is displayed that depicts him watching HEVENER and the child live while Egli is masturbating. HEVENER is fully nude and in several of the videos, so is the child. At one point the child touches HEVENER'S breasts. After she puts the child down, she looks into the camera and states, "I got him to play with my titties. There you go big boy." There are other videos and pictures involving this same child. Some images depict the male toddler in a bathtub with HEVENER touching his penis.

8. A further review of the forensic extraction by the Tipton Police Department revealed a phone number associated with HEVENER in the contacts. The number was 717-490-5697. An open-source Internet reverse search of the phone number revealed the number actually was subscribed to HEVENER.

9. A search of social media located HEVENER and images of her that depicted the same female as in the videos described above. Also on social media were pictures of the male toddler that had appeared in the

videos. A Law Enforcement database search revealed HEVENER resided at 142 Birkett St. Carbondale, PA 18407 and has since approximately 10/23/2020.

10. On 04/04/2024 the Tipton Police Department and the FBI in Cedar Rapids Iowa made contact with your affiant and provided the information described above. Your affiant utilized that information to obtain a federal search warrant for the residence of Mykayliah HEVENER in Carbondale, PA. That warrant was executed by myself and members of the FBI Scranton office on 04/04/2024.

11. During the search, HEVENER voluntarily agreed to be interviewed by the affiant and Task Force Officer Jennifer Gerrity. During the interview, HEVENER disclosed she had an online sexual relationship with Benjamin Egli. Hevener also disclosed that she knew Egli was sexually attracted to children, including her two-year-old son. HEVENER admitted that she would video chat with Egli over the Snapchat application utilizing her cellular phone. During those video chats, HEVENER would be naked, and also display her son naked for the purpose of providing Egli with sexual gratification. HEVENER acknowledged touching the child's genitals in the video and allowing the

child to touch her while she was naked. HEVENER acknowledged that Egli would be masturbating while HEVENER was performing these acts. HEVENER stated that Egli would specifically request that HEVENER perform these acts with her son. HEVENER also disclosed that at Egli's request, she would send Egli videos and images via Snapchat which depicted her "jerking off" her minor son.

12. On 04/17/2024, the FBI Grand Rapids office sent your affiant a forensic report containing information regarding the pictures and videos in which HEVENER and/or her minor son were depicted. The video with file name "Screen_Recording_20230429_121647_Snapchat.mp4" contained exif data information revealing it was recorded on 04/29/2023 at 12:15PM. The video depicts HEVENER and her minor son inside her residence located at 142 Birkett Street, Carbondale, PA. Both HEVENER and the child are naked. HEVENER is holding the child and at one point during the video, displays the child's genitals directly to the camera. Eventually HEVENER puts the child down and states "he's over it, I'm sorry". HEVENER then approaches the camera and asks Egli "oh yeah you going

to cum for me?" And also states "oh you have, good boy." During this time, in the corner of the video, you can see Egli masturbating and ejaculating.

CONCLUSION

22. Based on the foregoing, there is probable cause to believe that Mykaylia Hevener committed the crimes of production of child pornography, in violation of 18 U.S.C. § 2251(a), and distribution of child pornography, 18 U.S.C. § 2252(a)(2).

Eric Bailey

Special Agent Eric Bailey
Federal Bureau of Investigation

Sworn to me this 18th day of April,

2024. *by reliable electronic means.*

Joseph F. Saporito, Jr.
JOSEPH F. SAPORITO, JR.
United States Magistrate Judge